



**STRATEGY
RESEARCH
PROJECT**

The views expressed in this paper are those of the author and do not necessarily reflect the views of the Department of Defense or any of its agencies. This document may not be released for open publication until it has been cleared by the appropriate military service or government agency.

CONSTABULARIES IN FUTURE PEACE OPERATIONS

BY

**LIEUTENANT COLONEL KARL BERNARD KNOBLAUCH, JR.
United States Army**

**DISTRIBUTION STATEMENT A:
Approved for public release.
Distribution is unlimited.**



USAWC CLASS OF 1998

U.S. ARMY WAR COLLEGE, CARLISLE BARRACKS, PA 17013-5050

DTIC QUALITY INSPECTED 2

19980520 135

USAWC STRATEGY RESEARCH PROJECT

Constabularies in Future Peace Operations

by

LTC Karl Bernard Knoblauch, Jr.
U.S Army, Military Police Corps

Colonel (Ret) Brian Moore
Project Advisor

The views expressed in this paper are those of the author and do not necessarily reflect the views of the Department of Defense or any of its agencies. This document may not be released for open publication until it has been cleared by the appropriate military service or Government agency.

U.S. Army War College
CARLISLE BARRACKS, PENNSYLVANIA 17013

DISTRIBUTION STATEMENT A:
Approved for public release.
Distribution is unlimited.

DTIC QUALITY INSPECTED 2

ABSTRACT

AUTHOR: LTC Karl B. Knoblauch, Jr.

TITLE: Constabularies in Future Peace Operations

FORMAT: Strategy Research Project

DATE: 06 April 1998 PAGES: 45 CLASSIFICATION: Unclassified

This project examines the competency of a constabulary typology in future peace operations to sustain governance in fractious or feral territories of vital or peripheral interest. Early constabularies were formed and administered by state powers to establish order, to sustain rule of law, and to promote colonial administration or territorial self-governance. The constabulary typology and competence serves as a constructive and axial apparatus for peace building in impoverished societal regimes reminiscent of past ventures.

TABLE OF CONTENTS

ABSTRACT	III
ACKNOWLEDGMENTS	VII
REVIVAL OF AN INDUSTRIAL AGE COMPETENCY	1
CONSTABULARIES FOR TODAY'S WORLD	4
FORERUNNERS FOR THE FUTURE	6
STALEMATE OR CHECKMATE	9
INTERVIENING WITH CONSTABULARIES	12
FRAMEWORK FOR CONSTABULARY OPERATIONS	15
CONCEPT OF OPERATIONS	16
CONCEPT OF ORGANIZATION	20
EPILOGUE	26
ENDNOTES	29
BIBLIOGRAPHY	35

ACKNOWLEDGMENTS

I began my research on use of the constabulary typology in future peace operations through my enduring interest in history and affection for the U.S. Army Military Police Corps, my profession of nearly twenty-two years. I would like to acknowledge three individuals with regard to this project -- Colonel (Ret) Brian Moore (Instructor, US Army War College), Colonel Larry Forester (Director, U.S. Army Peacekeeping Institute), and Professor James Hanlon (Editorial Counselor, US Army War College). Colonel Moore's abiding passion for the study of history made it all but impossible not to draw an equivalent enthusiasm and encouragement to uncover the treasures and lessons of the past. Colonel Larry Forster's encouragement in my study of constabularies affirmed my interest in pursuing this research project. Professor Hanlon's editorial counsel illuminated clarity of written exposition.

REVIVAL OF AN INDUSTRIAL AGE COMPETENCY

Constabulary...a body of officers of the peace organized on a military basis.¹

This project examines the competency of a constabulary typology in future peace operations to sustain governance in fractious or feral territories of vital or peripheral international, regional, or national interest. The examination acknowledges the somewhat checkered performance of early constabularies. Nonetheless, the functional competency and structure of coalition constabularies serves as an archetype for constructive action in impoverished societies and shattered civic systems.

Constabularies are constituted as centric foreign or indigenous forces of notable martial regimen and capabilities, with explicit police competencies and services.² A constabulary can deliver direct offensive action against extreme, hostile domestic forces beyond the level of normal police services.³ The constabulary model emerges as an axial apparatus for peace building "to intervene in the whole national reconciliation

process[,]...restructuring of the government[, and]

...rehabilitation of the country."⁴ I eschew the term 'nation building' because it denotes a generational commitment and contributory cost beyond peace building, that exceeds the transitional role of peace building and constabularies, even in the most egregious circumstances.

A coalition constabulary serves a constructive and unabridged role in maintaining order, combating instability, restoring rule of law, and administering justice so that fractured societies may have a chance to prosper. Constabulary competencies span the space between remission in military operations and the emergence of civil policing.⁵ Civil policing infers a public disposed to the acceptance of the rule of law, and a society "...possess[ing] laws and a judicial organization[, and]... afford[ing] equal and regular justice to all."⁶ The constabulary typology is relevant in this context, and provides a unique capability where there is a "hiatus in enforcement capabilities."⁷ The disruption in civil control manifests itself where existing law enforcement entities have either disappeared or are so discredited that they pose significant obstacles to governance or progressive democracy.⁸ During such stability voids, any expectation for creating a

legitimate and indigenous law enforcement capability requires a protracted and sustained effort.⁹ The constabulary typology provides a conceptual and functional mechanism for creating the requisite stability necessary for effective peace building. The effectual functionality of an external (nonindigenous) constabulary provides the necessary competence and focus for shouldering law and order responsibilities essential to the progressive peace building process. The basis for this competence is threefold:

[1] National development is dependent on the maintenance of law and order. [2] Public peace and order affords a stable social atmosphere within which governments can induce social, political, and economic changes without violence....[3] National stability depends upon...a loyal, proficient, people-oriented police force.¹⁰

The latter assertion is particularly meaningful in understanding the problem and promoting the relevance of an external constabulary, where: "national and local armed forces [and police are]...powerless to suppress the domestic disorder or enforce laws...[, or] have ceased to function."¹¹

Prospective coalition constabularies in future peace building efforts will assume responsibility for the administration of state law and order, and justice through: managing police zones/stations and detention centers; conducting surveillance of, collecting intelligence on, and investigating criminal enterprises; conducting specialized protective services and security operations; suppressing criminal activity and promoting public safety through area/zone patrolling and apprehension of offenders; controlling populations through enforcement of borders and curfews, and regulating intraterritorial movement; controlling civil violence and disturbances; and interdicting black-market and contraband activities.¹²

CONSTABULARIES FOR TODAY'S WORLD

*...we face new security dilemmas which cast a shadow of uncertainty over the emerging security environment as we move toward the beginning of a new century. To a certain extent, the present security landscape bears a resemblance to that which existed early in this century....patterns of conflict behavior once thought to have been banished have revived in...extreme and repugnant forms....*¹³

This study is not intended to advocate unilateral or multilateral foreign interventions in the internal affairs of a

state. It suffices to say that global or regional powers will be moved to unilateral or collective action out of humanitarian commitment or when their security is threatened. Yet it is not difficult to corroborate the dangers collapsed and disintegrating regimes pose to an interdependent world community. Holden-Rhodes and Lupsha's "Horseman of the Apocalypse: Gray Area Phenomena and the New World Disorder"¹⁴ paints an illuminating picture of states being strangled in the grip of pervasive asymmetric indigenous and transnational threats that subvert systems of governance. Nonetheless, a suitable and effectual recourse remains elusive. Succinctly put, the challenges presume "a particularly radical and ambitious undertaking...[of] new and particularly daunting departures from UN engagements."¹⁵ The primary challenge will always be deciding when, where, and in what capacity an intervention should be initiated. It is a decision that most assuredly requires an unique commitment and steadfast resolve. Nonetheless, a properly constituted constabulary is a particularly useful antidote for corrosive lawlessness in future peace building objectives.

FORERUNNERS FOR THE FUTURE

The aim and duty of the Constabulary - should be to achieve prolonged, continuous and effective occupation of definite areas....the Constabulary should be perpetually active, familiarizing themselves with the inhabitants of the country and rendering [the territory] untenable [to]...small bodies of enemies or rebels. Occupied areas should contribute to the pacification of the country.¹⁶

- St. John Broderick to Lord Kitchener, 1901

At the beginning of the century, the United States employed U.S. forces in constabulary operations, culminating with its most extensive constabulary action in the aftermath of World War II. Early constabularies provide a valuable precedent and define the role of direct involvement as an "instrument of civil control."¹⁷ Future constabularies should serve the same purpose. However, constabulary operations of that era were not subject to the hesitancies and limitations of contemporary interventionist norms.

Past constabularies are not immutable operational prototypes for future constabulary operations. Yet, U.S.-led constabularies in the Philippines, Haiti, Dominican Republic, and Nicaragua at the beginning of the 20th century illustrate the potential scope

and methodology of future constabulary actions. The specified mission in 1927 for the US Marine-directed constabulary in Nicaragua was:

Preserving domestic peace and security of individual rights-- protecting life and property; suppressing contraband activities; suppressing the illicit manufacture of intoxicants; enforcing police, traffic, and sanitary regulations; controlling...(justices of the peace),...(collectors of fines) and (Indian chiefs in the outlying districts); compiling monthly reports on fines imposed by the civil judiciary for violations of the penal code or police, traffic, and sanitary regulations; and...report of contraband seized.¹⁸

Similarly, in 1916, the US Marines assumed stability and law enforcement duties in the Dominican Republic for the purpose of restoring law and order through traditional police actions to suppress rampant lawlessness and banditry that were destabilizing the country.¹⁹ While continuing their policing operations, the Marines assumed responsibility for training and supervising an independent Dominican Constabulary for civil law and order duties.²⁰ In the aftermath of World War II, General Dwight Eisenhower directed that the U.S. Constabulary be formed ostensibly as a police force.²¹ The U.S. Constabulary, ultimately comprised of 38,000 American combat soldiers, exercised civil

control through the conduct of police functions throughout the U.S. Zone of Occupation in Germany and Austria.²²

The US Marine Corps Small Wars Manual (1940) addresses the mechanics for US Marine efforts in providing cadre, and for equipping and organizing indigenous constabularies as a mechanism for reconstructing indigenous police and military forces.²³ The US Army Field Manual, Military Police in Stability Operations (1970) makes a brief, but specific reference to a constabulary: paramilitary police as useful in post-conflict counterinsurgency operations, ostensibly following the emergence of the Vietnam insurgency.²⁴ The UN flirted with a constabulary type operation during the 1960 Congo crisis, when 500 Ghana police deployed to perform temporary law enforcement duties in the aftermath of the disintegration of Congolese national police forces.²⁵

History has demonstrated America's willingness to use constabularies on the frontiers of internal disintegration and lawlessness, and in crumbling or collapsed regimes. The basis for past and future constabulary interventions remain similar. Although some of these interventions had dubious outcomes, they sought to protect the community from forces of cruelty and

disorder, and to promote functional governance. While previous constabulary engagements are instructive for future peace operations, the complexity of current threats and desired outcomes requires greater scrutiny given unique circumstantial military and political considerations.

STALEMATE OR CHECKMATE

*The real atrocity is the failure of any group to enforce an acceptable order, and the suffering is the symptom of that problem. Stopping the fighting is only a cosmetic solution to the real need, state building....State building requires a long and arduous effort that...is problematical at best.*²⁶

Contemporary insurgent factors threatening state and regional entities surge in complexity, duration, and challenge. Asymmetric threats to collective peace and security are capable of spewing poisonous transitional lawlessness and instability. Having infected a state, deleterious transnational threats can only be characterized as producing a "society in turmoil."²⁷ The disparate depth and antecedent causes of state decay proliferates dysfunctional economic, political, and judicial systems. The decay is both centric and pervasive: "a critical problem of faltering states and any solution to the dilemma, is

governability[,]”²⁸ and presence of “an environment conducive to long-term economic growth.”²⁹ The center of gravity in such conflicts is a “self-perpetuating stability”³⁰ predicated on rule of law. A constabulary force in partnership with administering authorities and indigenous political entities, serves to form the foundation that stability and governability must ultimately be built.

Traditional peacekeeping operations are ill-suited to deal with egregious civil violence and state deterioration, especially when the more comprehensive task of peace building is the objective. Arguably the constabulary model provides the competency to restore a central pillar of governance -- rule of law. The essential merit of the constabulary typology is the presence of a persistent regulating and authoritative competence in directly suppressing domestic instability. In “Ethnicity and Contrasting Values: Implications for US Interests and Policy,”³¹ Brigadier General Mark Hamilton illustrates the difficulty and pressing need for a special capability to deal with internal strife. He focuses on the core dilemma in current peace operations:

...the concept of 'peace' is larger than that of 'order' and entails at least some minimum level of justice....we often find our 'Peacekeeping Force' configured, empowered and ultimately expected to deal only with order.... we appear dedicated only to address disorder.... The idea that our force would start and remain neutral is a pleasant-sounding concept. The problem with neutrality is that only order can be neutral. If peace is indeed order plus justice, neutrality fails in the justice piece of the equation. Justice cannot be neutral.³²

Because constabularies represent a direct and active engagement in internal security and policing, they cannot be neutral ("affect[ing] all parties equally or in the same way"³³), or impartial ("refusal to take sides in a conflict...[nor] intend to attain aims of one party...to the exclusion of others' aims"³⁴).

Order refers to harmony in the social compact, and uniformity in institutional relations for reasonable discourse and plausible attainment of expectations.³⁵ Justice refers to a society's interdependence on a regulated interchange among people and systems, consensus for and preservation of positive values, and reliance on correct adjudicative processes and sanctions for settlement of disputes.³⁶ Constabulary operations, unlike

traditional peace operations, serve to effect and sustain the essential conditions for legitimate peace building:

...history and analysis suggest that order must come before justice. The latter is a delicate plant that cannot thrive in a climate of fear and violence. Without order, the strong will seek to obtain their own brand of justice by self-help, denying justice to the weak, promoting disorder, and disrupting society.³⁷

Without confidence in a modicum of social order, neither governments nor people can plan for justice or reform. If all is flux, human reason is stymied and human will paralyzed.³⁸

In the arduous pursuit of "order plus justice,"³⁹ a constabulary model provides an assertive and positive means to achieve both in an unabridged manner. The advantages of a constabulary as an operative instrumentality for achieving justice and reviving state normalcy cannot be exaggerated.

INTERVENING WITH CONSTABULARIES

*State collapse is a long-term degenerative disease. However, it is also one whose outcome is not inevitable: cure and remission are possible.*⁴⁰

*The time of absolute and exclusive sovereignty...has passed; its theory was never matched with reality. It is the task of leaders of States today to understand this and to find a balance between the needs of good internal governance and the requirements of an ever more interdependent world.*⁴¹

- Boutros Boutros-Ghali, 1992

The following legal consideration is necessary as a prerequisite for developing a consensus on the feasibility for a constructive, yet, intrusive constabulary typology. The intrusive intervention in 'domestic' matters is a characteristic of constabulary operations that warrants exploration: first, is setting the criterion for legitimate intervention; second, is formulating the legal architecture for an intrusive, yet salutary constabulary. Similarly, the constructive intervention of a constabulary may not necessarily assume conventional arrangements predicated on traditions of neutrality, impartiality, and consent ("The evident willingness of parties, so far as they exist, to help accomplish a mandate."⁴²). Within this framework, the constabulary can function as the legally constituted law enforcement arm of the state based on an international mandate to establish rule of law.

International law regarding 'sovereignty' (Article 2 of the UN Charter) admonishes against domestic interventions absent

clear acts of aggression.⁴³ Yet it is obvious such admonishments have been greatly marginalized through interpretation of corollary Articles to legitimize interventions in the interest of human rights, self-determination, and democratic principles:⁴⁴

Conference on Human Dimension of the CSCE [Conference for Security and Cooperation in Europe] of October 4, 1991...emphasizes that issues relating to human rights, fundamental freedoms, democracy and the rule of law are of international concern... as foundations of international order. They categorically and irrevocably declare that commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the States concerned.⁴⁵

This new age in interventionist thought is appropriately examined in The United Nations in a New World Order. The premise is that the sovereignty and domestic affairs of a state are no longer inviolate when their internal actions are contrary to the world community's security and norms.⁴⁶ The revisionist legal view is that "state sovereignty is anachronistic."⁴⁷ It "has so decayed that all should recognize the appropriateness of UN measures inside member states to save them from self-destruction."⁴⁸ The imposition of constabulary operations is particularly suited to this view.

We need not impale ourselves on the horns of a dilemma between respect for sovereignty and the protection of human rights.... What is involved is not the right of intervention but collective obligation of States to bring relief and redress in human rights emergencies.⁴⁹

- Javier Perez de Cuellar, 1991

Violation of state sovereignty is and will remain, an offense against the global order. But its misuse may also undermine human rights and jeopardize a peaceful global life. Civil wars are no longer civil and the carnage they inflict will not let the world remain indifferent.⁵⁰

- Boutros Boutros-Ghali, 1992

Conventional wisdom tends towards favoring an international precedent and a proclivity for interstate intervention against threats to international peace and security.⁵¹ The gradual repudiation of certain restraints on interventionism signals an opening for the conceptualization, applicability, and employment of constabularies.

FRAMEWORK FOR CONSTABULARY OPERATIONS

*It seems appropriate to modernize and reorient U.N. programs to cover the 'newly non-self-governing territories.'*⁵²

*[As] a vital element in the government's social engineering designs....the constabulary actively helped to shape the contours of the new society....*⁵³

CONCEPT OF OPERATIONS

The preceding epigraphs are instructive because they suggest a paradigm shift, a subscription for progressive activism, and a legitimate and constructive force for peace building. However, the role of constabularies is susceptible to further consideration as to international procedure and law. The constabulary would complement civil governance, not constitute it. It would rely on associated and complementary coalition initiatives and civic action programs to buttress constabulary objectives and rule of law. A constabulary organized under international, regional, or national stewardship could legitimately be established pursuant to authorization under "Chapter VI and Chapter VII [UN Charter] for transition operations."⁵⁴ Transition operations present the opportunity to employ the broad intent of constabularies within the context of peace building; as determined "to assist...in changing the status or condition of a country....even to...placing a country...under temporary governance by the United Nations."⁵⁵

In "Saving Failed States," Helman and Ratner advocate a form of direct stewardship that they call 'conservatorship' over powerless and victimized people.⁵⁶ They propose three types of stewardship: "...governance assistance, [national] delegation of governmental authority [to a third party], and direct UN trusteeship...."⁵⁷ These types of stewardship increase the applicability of a corollary constabulary force of external and internal composition. The UN Trusteeship System professes political, social, and economic improvement; and self-government as its goal for states entrusted to its administration.⁵⁸ Importantly, Helman and Ratner cite requisite statutory provisos to mediatize a UN Trusteeship in a contemporary context, as opposed to the original intent and conduct of certain Trusteeships following World War II.⁵⁹

The Trusteeship System was ostensibly an adjunct of the dubious colonial era. However, the Trusteeship System or a similar authority would serve hierarchical supervisory and insular purposes for a coalition constabulary. The constabulary accommodates the inclusive role for institutional security and

governance within a system "transition[ing] from colonial rule or trusteeship to independence."⁶⁰

Yet mandating such an administrative authority under egregious circumstances requires explicit instruments of executive power. Constabulary operations could be conducted attendant to an established 'administrative authority,' or as the delegated authority for internal law and order when sanctioned by an indigenous governing body incapable of sustaining legitimate rule of law or stability with indigenous resources.⁶¹ The latter option presumes timely and permissive action, that if taken, could preempt more costly and onerous peace building requirements. However, such preemptive action absent a catastrophic catalyst requires uncommon and improbable international initiative, commitment, and resolve.

Laws governing belligerent/nonbelligerent 'occupying' forces would be useful in probing for pertinent jurisdictional processes in dealing with complexities relevant to peace operations.⁶² The rationale is:

Article 43 of the 1907 Hague Regulations states: The authority of the legitimate power having in fact

passed into the hands of the occupant, the latter shall take all measures in his power to restore and ensure, as far as possible, public order and [civil life], while respecting, unless absolutely prevented, the laws in force in the country.⁶³

The imposition of a constabulary requires relevant jurisdictional authority of a civil orientation that is more expansive than the law of war. Jurisdictional relevance may be achieved through adaptation of the extension of "use of force by reference to municipal law rather than international law."⁶⁴ UN forces made such an adaptation while "operat[ing] as a militia for...maintaining internal security...on the basis of the existing municipal law or...as the United Nations [Temporary Executive Authority (UNTEA) in West New Guinea] might promulgate."⁶⁵ The bottom line is that constabularies must be constituted under reproof of law if they are to assimilate 'domestic' law in their imposition of internal security measures and statutory regulations. Under the most reprehensible circumstances, constabularies would presumably exercise exclusive jurisdiction over the territory, with specific statutory protections extended to certain officials of any indigenous governing bodies. The nature of the judicial process supporting the jurisdictional authority merits a more sophisticated

examination than this. However, the mandating authority must codify the constabulary's jurisdictional authority and legal procedures.⁶⁶ Any concurrent 'police' jurisdiction with a duly organized and coexisting indigenous police force would naturally evolve over time, as will the overall constabulary arrangement and supervisory function of an administrative authority.

CONCEPT OF ORGANIZATION

Past constabularies have been of mixed composition: formed exclusively as an external military force, as a foreign cadre with indigenous field forces, or as a separate foreign paramilitary police force. Future constabularies could conceivably be constituted from the international community, from a regional union, from a collective security organization, or from a major state. Any future variation could also include augmentation with an insular component under circumstantial conditions.

The constabulary typology pursues an intrusive internal security strategy. It is unlike the often nonintrusive UN Civil Police, which function as an unarmed police element without

traditional police powers.⁶⁷ UN Civil Police could assume a definite concurrent and post-constabulary role in resuscitating domestic police competencies during the peace building process.

During the most egregious domestic circumstances, the constabulary contingent may be composed entirely of external military forces and civil police. During such interventions, practicalities might dictate limiting areas of operation to economize forces. Establishment of an internal police component would likely be a function of incremental transition from semiautonomous to autonomous authority, based on their competency and legitimacy as a positive influence on the civic determinants of governance. Likewise, the U.S. Constabulary in postwar Europe portrays the potential for a semiautonomous domestic police with jurisdiction in certain municipal matters.⁶⁸ Inclusion or coexistence of domestic police units with an external constabulary would be a practical and substantive step towards ameliorating the collective resourcing burden, and promoting an internal capability. Such an assimilated component could take multiple forms. The US Marine Corps Small Wars Manual (1940) is particularly instructive in this context; it specifically identifies the use of auxiliaries in supporting constabularies.⁶⁹

In this context, auxiliaries subordinate to the constabulary are particularly useful as accredited security guards retained by commercial enterprises or community police responsible for rudimentary law and order functions in remote areas or cities.⁷⁰ This manual also advocates that U.S. units revert to a reserve status following initial operations involving combined US units and local constables.⁷¹

The inclusion of local police aside, the principal challenge is force composition and the relative competencies of coalition forces for constabulary operations. It can be assumed that coalition military police (MP) and national police (NP) contingents possess many of the requisite constabulary skills and would provide significant technical and operational contributions. The constabulary model would rely on specialized force capabilities, such as MP/NP, and unique combat unit competencies to adequately restrain violent intrastate breakdowns. However, mustering and sustaining adequate competent forces for such a mission will always pose a challenge. Any force capability will be limited and influenced by the situation, duration, and scale of operations. U.S. Military Police are presently capable of fulfilling constabulary requirements within

force limitations. Not all foreign MP have the same doctrinal missions or functional capabilities as U.S. Military Police. However, there are numerous foreign MP/paramilitary police of exceptional capability and suitability for coalition constabularies, for example: Dutch Koninklijke Marechaussee, French Gendarmerie, Italian Carabinieri, British Royal Military Police, and German Feldjaeger, etc. Likewise, there are numerous national level (federal) police forces of equally suitable constabulary roles; for example: Royal Canadian Mounted Police, German Bundesgrenzschutz, Austrian Gendarmerie, and Spanish Guardia Civil, to name a few. Despite such capabilities, and excluding a limited paramilitary/military police operation, the use of combat forces is undeniably necessary to form the core of any constabulary. Likewise, a typical constabulary would require nonorganic communications, logistical, legal, civil affairs, aviation, and special operations capabilities to support their operations.

Undoubtedly constabulary operations require a certain competency and degree of specialization among its participants. To achieve functional effectiveness constabularies would capitalize on the specialized police competencies of military police and national civil police, and the numerical capacity of

combat units for operational depth and freedom of action.

Coalition military police and national police contingents would concentrate on the administrative aspects of law and order, and adjudicative processes.

Principally, as previously noted, specialized constabulary functions would provide: an architecture for operational/technical police services; a network of police stations and detention centers, surveillance, intelligence and investigation of criminal enterprises; MP/NP liaison operations with other constabulary units and indigenous civic/police elements; and specialized protective/security services.⁷² Combat units would primarily perform general security functions, such as suppression of criminal activity and promoting public safety through area/zone patrolling; restraint of populations through control of borders, enforcement of curfews, and regulation of intraterritory movement; control of civil violence and disturbances; and interdiction of black market and contraband activities.⁷³

While many constabulary skills are basic to fundamental military tasks, certain specified and implied skills no doubt require specific training. Combat units would require certain police skills training to acquire unique constabulary

competencies in "...handling complaints, property, and detained persons[;]... conducting [police] searches and taking offenders into custody[; and training in]... crowd and mob behavior, riot control formations, and the use of riot control munitions...."74

Command and control of the constabulary would reside with its designated commander. The commander is responsible to the governing body of the organization conducting the intervention or to an appointed administrative authority. Even if operating concomitant with an indigenous governing body, and assuming concurrent judicial administrative responsibilities (domestic laws and jurisdiction, and legal processes), the constabulary would remain subordinate to a noninsular administrative authority. Coalition combat units would be organized by area commands with general land area and border enforcement responsibilities. Coalition military police and national police units would be organized as a territorial command, providing integrated police services and support to area commands. UN Civil Police contingents would remain independent of the coalition constabulary. UN Civil Police, under the direction of the administrative authority, would not be restricted from performing their traditional functions. However, the UN Civil

Police, rather than the constabulary, would assume the principal responsibility for civil police reconstruction and supervision initiatives. The UN Civil Police would also function as the independent investigative and service arm of the judiciary.

A tenuous aspect of constabulary operations is the adjudicative/judicial process. A magistrate trial system would have to be inexplicably linked to the constabulary and administrative system. The judiciary would function as an independent entity with international and indigenous jurists serving under the administrative and appellate supervision of the International Court.

EPILOGUE

The requisite constabulary force commitment and mandate will give pause to many would-be force providers. Something on the scale and scope of the U.S. Constabulary in Europe after World War II is a plausible requirement, considering comprehensive provisions for a constructive peace building. Undoubtedly the U.S. becomes a central figure in most successful large-scale peace operations. Conceivably the U.S. could act unilaterally

when in its vital interest, or multilaterally if a state within the Americas was under major social duress. The political and economic realities mandate a coalition partnership in the conduct of most constabulary operations. However, the prerequisites for forming coalitions limits the feasibility of multiple and expansive actions, and certainly timely preemptive action.

The two most likely scenarios for conducting a constabulary operation are: humanitarian, where the civic infrastructure is nonexistent and the populace is suffering grievous harm, as in some African states; and in a former developing nation beset by anarchy, as could potentially occur in Southeast Asia, or in the Americas. The need to create a functioning civic system free of "the effects of the threat of violence and intimidation"⁷⁵ cannot be overstated. Without creating suitable recovery conditions it is unlikely that an adequate shift from peacekeeping to peace building can be accomplished. The ultimate prospect then is one of 'stalemate' rather than the desired 'checkmate.' Nonetheless, where particular world actors embark upon a legitimate peace building mission, the constabulary typology offers a determined

response for comprehensively dealing with the antecedent factors of instability and progressive recovery.

Word Count: 5546

ENDNOTES

¹Stuart Berg Flexner, ed., Random House Unabridged Dictionary, 2nd Ed (New York: Random House, 1993), 435.

²M. Dean Havron, and others, Constabulary Capabilities for Low-Level Conflict (McLean, VA: Human Sciences Research, Inc., 1969), 5-7.

³Department of the Navy, Headquarters United States Marine Corps, Small Wars Manual (Reprint of 1940 Edition), NAVMC 2890 (Washington, D.C.: U.S. Department of the Navy, Headquarters United States Marine Corps, 1 April 1987), 1-3, Chapter XII.

⁴A.B. Fetherston, Towards a Theory of United Nations Peacekeeping (New York: St Martin's Press, 1994), 153.

⁵COL Larry M. Forster, Director, US Army Peacekeeping Institute, interview by author, December 1997.

⁶Bruno Simma, ed., The Charter of the United Nations A Commentary, (Oxford, UK: Oxford University Press, 1994), 944.

⁷Neil Kritz, "The Rule of Law in the Post-conflict Phase, Building a Stable Peace," in Managing Global Chaos, Sources of and Response to International Conflict, eds. Chester A. Crocker and others (Washington DC: US Institute of Peace Press, 1996), 592.

⁸ Ibid.

⁹ Ibid.

¹⁰Department of the Army, Military Police in Stability Operations, Field Manual 19-50 (Washington, D.C.: US Department of the Army, February 1970), 6, Chapter 2 (2-6).

¹¹Department of the Navy, 1, Chapter XII.

¹²Department of the Army, 1, Appendix E.

¹³Robert L. Pfaltzgraff, Jr. and Richard H. Schultz, Jr., eds., Ethnic Conflict and Regional Instability Implications for U.S. Policy and Army roles and Missions (U.S. Government Printing Office, 1994), 17.

¹⁴J.F. Holden-Rhodes and Peter A. Lupsha, "Horseman of the Apocalypse Gray Area Phenomena and the New World Disorder," in Global Dimensions of High Intensity Crime and Low Intensity Conflict, ed. Graham H. Turbiville (Chicago: University of Illinois at Chicago, 1995), 25.

¹⁵John Roper and others, Keeping the Peace in the Post-Cold War Era: Strengthening Multilateral Peacekeeping (New York: The Trilateral Commission, 1993), 78.

¹⁶Albert Grundlingh, "Protectors and friends of the people'? The South African Constabulary in the Transvaal and Orange River Colony, 1900-08," in Policing the Empire Government, Authority and Control, 1830-1940, ed. David M. Anderson and David Killingray (Manchester, UK: Manchester University Press, 1991), 169.

¹⁷D.M. Condit, Bert H. Cooper, Jr., and others, Challenge and Response in Internal Conflict (Washington, D.C.: The American University, 1968), 1.

¹⁸Havron, and others, 64.

¹⁹Condit, Cooper, and others, 15.

²⁰Ibid., 18.

²¹Major James M. Synder, The Establishment and Operations of the United States Constabulary 3 October 1945 - 30 June 1947 (APO 46, Germany: Historical Sub-Section G-3 - United States Constabulary, 1947), 18-19.

²²Ibid., 18-19.

²³Department of the Navy, 2, Chapter XII.

²⁴Department of the Army, 11, Chapter 2 (2-11).

²⁵International Police Academy, Peacekeeper's Handbook (Elmsford, NY: Pergamon Press, 1984), 324.

²⁶Donald M. Snow, "Peacekeeping, Peace Enforcement and Clinton Defense Policy," in Clinton and Post-Cold War Defense, ed. Stephen J. Cimbala (Westport: Praeger, 1996), 89.

²⁷Condit, Cooper, and others, xiv.

²⁸Wm. J. Olson, "The New World Disorder: Governability and Development," in Gray Area Phenomena Confronting the New World Disorder, ed. Max G. Manwaring (Boulder: Westview press, 1993), 10.

²⁹Ibid., 11.

³⁰Condit, Cooper, and others, 19.

³¹Mark Hamilton, "Ethnicity and Contrasting Values: Implications for US Interests and Policy," in Ethnic Conflict and Regional Instability Implications for U.S. Policy and Army roles and Missions, ed., Robert L. Pfaltzgraff, Jr. and Richard H. Schultz, Jr., (U.S. Government Printing Office, 1994), 111.

³²Ibid., 116.

³³Bruce R. Pirnie and William E. Simons, Soldiers for Peace An Operational Typology (Santa Monica: RAND, 1996), 70.

³⁴Ibid.

³⁵Quincy Wright, The Role of International Law in the Elimination of War (Manchester, UK: Manchester University Press, 1961), 7.

³⁶Ibid., 9.

³⁷Ibid., 5-6.

³⁸Ibid., 7.

³⁹Hamilton, 116.

⁴⁰I. William Zartman, ed., Collapsed States The Disintegration and Restoration of Legitimate Authority (Boulder: Lynne Rienner Publishers, 1995), 8.

⁴¹Edwin M. Smith and Michael G. Schechter, The United Nations and a New World Order (Claremont, CA: The Keck Center for International and Strategic Studies, 1994), 50.

⁴²Pirnie and Simons, 70.

⁴³Wright, 107.

⁴⁴Smith and Schechter, 51-59.

⁴⁵Simma, 151.

⁴⁶Smith and Schechter, 50 and 52.

⁴⁷Ibid., 50.

⁴⁸Gerald B. Helman and Steven R. Ratner, "Saving Failed States," (Foreign Policy Magazine, No. 89, Winter 92/93) in Readings Advanced Course 237j Collective Security and Peacekeeping, Vol 1 (n.p., U.S Army War College, n.d.), 163.

⁴⁹Smith and Schechter, 50.

⁵⁰Ibid.

⁵¹Roper and others, 69.

⁵²Helman and Ratner, 165.

⁵³Grundlingh, 179.

⁵⁴Pirnie and Simons, 24.

⁵⁵Ibid.

⁵⁶Helman and Ratner, 163.

⁵⁷Ibid, 164.

⁵⁸James N. Murray, Jr., The United Nations Trusteeship System (Urbana, IL: The University of Illinois Press, 1957), 211.

⁵⁹Helman and Ratner, 165.

⁶⁰Pirnie and Simons, 24.

⁶¹Ibid., 164.

⁶²D.W. Bowett, United Nations Forces A Legal Study (New York: Frederick A. Praeger, Publishers, 1964), 490.

⁶³Eyal Benvenisti, The International Law of Occupation (Princeton: Princeton University Press, 1993), 7.

⁶⁴Bowett, 486.

⁶⁵Ibid.

⁶⁶Department of the Navy, 6, Chapter XII.

⁶⁷International Peace Academy, 309.

⁶⁸Snyder, 40.

⁶⁹Department of the Navy, 21, Chapter XII.

⁷⁰Ibid.

⁷¹Ibid., 19, Chapter XII.

⁷²Department of the Army, 1-5, Appendix E.

⁷³Ibid.

⁷⁴Ibid.

⁷⁵Norman A. LaCharite and Joan Rodman Wolfgang, Police Role of Internal Security Forces in Internal Defense (Kensington, MD: American Institutes for Research, 1972), 15.

BIBLIOGRAPHY

- Benvenisti, Eyal. The International Law of Occupation. Princeton: Princeton University Press, 1993.
- Bowett, D.W. United Nations Forces A Legal Study. New York: Frederick A. Praeger, Publishers, 1964.
- Condit, D.M., Bert H. Cooper, Jr., and others. Challenge and Response in Internal Conflict. Washington, D.C.: The American University, 1968.
- Flexner, Stuart Berg, ed. Random House Unabridged Dictionary, 2nd Ed. New York: Random House, 1993.
- Fetherston, A.B. Towards a Theory of United Nations Peacekeeping. New York: St Martin's Press, 1994.
- Forster, COL Larry M., Director, US Army Peacekeeping Institute, interview by author, December 1997.
- Grundlingh, Albert, "Protectors and friends of the people'? The South African Constabulary in the Transvaal and Orange River Colony, 1900-08." In Policing the Empire Government, Authority and Control, 1830-1940, ed. David M. Anderson and David Killingray, 168-182. Manchester, UK: Manchester University Press, 1991.
- Hamilton, Mark. "Ethnicity and Contrasting Values: Implications for US Interests and Policy." In Ethnic Conflict and Regional Instability Implications for U.S. Policy and Army roles and Missions, ed., Robert L. Pfaltzgraff, Jr. and Richard H. Schultz, Jr., 111-123. n.p., U.S. Government Printing Office, 1994.
- Havron, M. Dean, William W. Chenault, James M. Dodson, and A. Terry Rambo. Constabulary Capabilities for Low-Level Conflict. McLean, VA: Human Sciences Research, Inc., 1969.
- Helman, Gerald B., and Steven R. Ratner, "Saving Failed States," (Foreign Policy Magazine, No. 89, Winter 92/93). In Readings Advanced Course 237j Collective Security and Peacekeeping, Vol 1 (n.p., U.S Army War College, n.d.

- Holden-Rhodes, J.F., and Peter A. Lupsha, "Horseman of the Apocalypse Gray Area Phenomena." In Global Dimensions of High Intensity crime and Low Intensity Conflict, ed. Graham H. Turbiville, 9-28. Chicago: University of Illinois at Chicago, 1995.
- International Police Academy. Peacekeeper's Handbook. Elmsford, NY: Pergamon Press, 1984.
- Kritz, Neil, "The Role of Law in the Post-Conflict Phase, Building a Stable Peace." Managing Global Chaos, Sources of and response to International Conflict, eds. Chester A. Crocker, Fen Osler Hampton, and Pamela Aail, 587-606. Washington DC: U.S. Institute of peace Press, 1996.
- LaCharite, Norman A., and Joan Rodman Wolfgang. Police Role of Internal Security Forces in Internal Defense. Kensington, MD: American Institutes for Research, 1972.
- Murray, James N. Jr. The United Nations Trusteeship System. Urbana, IL: The University of Illinois Press, 1957.
- Olson, Wm. J. "The New World Disorder: Governability and Development." In Gray Area Phenomena Confronting the New World Disorder, ed. Max G. Manwaring, 3-32. Boulder: Westview press, 1993.
- Pirnie, Bruce R. and William E. Simons. Soldiers for Peace An Operational Typology. Santa Monica: RAND, 1996.
- Pfaltzgraff, Robert L., Jr., and Richard H. Schultz, Jr., eds. Ethnic Conflict and Regional Instability Implications for U.S. Policy and Army roles and Missions. n.p., U.S. Government Printing Office, 1994.
- Roper, John, and others. Keeping the Peace in the Post-Cold War Era: Strengthening Multilateral Peacekeeping. New York: The Trilateral Commission, 1993.
- Simma, Bruno, ed. The Charter of the United Nations A Commentary. Oxford, UK: Oxford University Press, 1994.
- Smith, Edwin M., and Michael G. Schechter. The United Nations and a New World Order. Claremont, CA: The Keck Center for International and Strategic Studies, 1994.
- Snow, Donald M. "Peacekeeping, Peace Enforcement and Clinton Defense Policy." In Clinton and Post-Cold War Defense, ed. Cimbala, Stephen, J., 87-102. Westport: Praeger, 1996.

Synder, Major James M. The Establishment and Operations of the United States Constabulary 3 October 1945 - 30 June 1947. APO 46, Germany: Historical Sub-Section G-3 - United States Constabulary, 1947.

U.S. Department of the Army. Military Police in Stability Operations, Field Manual 19-50. Washington, D.C.: US Department of the Army, February 1970.

U.S. Department of the Navy, Headquarters United States Marine Corps. Small Wars Manual (Reprint of 1940 Edition), NAVMC 2890. Washington, D.C.: U.S. Department of the Navy, Headquarters United States Marine Corps, 1 April 1987.

Wright, Quincy. The Role of International Law in the Elimination of War. Manchester, UK: Manchester University Press, 1961.

Zartman, I. William, ed. Collapsed States The Disintegration and Restoration of Legitimate Authority. Boulder: Lynne Rienner Publishers, 1995.